



Jorge Alejandro Rojas
Rojas.jorge96@gmail.com
 Plaintiff in Pro Se
 557 Cambridge Way
 Bolingbrook, IL 60440
 (424) 219-1582

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JORGE ALEJANDRO ROJAS,
 Plaintiff,

v.

JOEY BUILDERS INC, et al,
 Defendants

Case No. 2:24-cv-03958-SVW-MAR

**REQUEST TO APPEAR VIA ZOOM
 AND/OR MOTION TO CONTINUE
 STATUS CONFERENCE**

Conference: August 12, 2024 at 3:00 PM
 Judge: Stephen V. Wilson

Plaintiff, Jorge Alejandro Rojas, pursuant to this Court's Requirements and Procedures, requests the ability to attend the August 12, 2024 Status Conference in this case (Dkt. 12) via Zoom, or in the alternative, moves this Court to continue the status conference. **Conferral Statement:** Plaintiff attempted to obtain Defendants position prior to the filing of this request but did not receive a response. Specifically, on July 18, 2024, Plaintiff advised Defendants of his intent to seek electronic appearance and asked for their position via mail. This was after several attempts to contact Defendants via phone to the telephone number the individual Mr. Levi listed in his Answer (Dkt. 10). On July 25, 2024, a "mediator" for Defendants contacted Plaintiff via e-mail. The mediator has represented that she is not an attorney. Plaintiff has attempted to get a position on the request to appear via Zoom from the mediator and has not received a response. Plaintiff has also attempted

1 to obtain a schedule from Defendants in order to meet in advance of the conference and
2 has been unable to obtain the same.

3 This is an action under the Telephone Consumer Protection Act (“TCPA”), 47
4 U.S.C. § 227, alleging Defendants contacted Plaintiff in violation of the TCPA. On June
5 27, 2024, Liel Levy, the individual defendant, filed an answer. Dkt. 10. Defendant Joey
6 Builders was served on July 17, 2024 (proof of service forthcoming), making answer due
7 August 7, 2024. The Court has scheduled an initial status conference for August 12, 2024.

8 Plaintiff seeks to appear via Zoom for this status conference.

9 The basis for the electronic appearance request is primarily due to Plaintiff’s work
10 schedule, school schedule, and location. Plaintiff lives in Bolingbrook, Illinois, a suburb of
11 Chicago, and would need to pay for air travel to attend the hearing, and miss at least one,
12 and possibly two, days of work to attend the hearing in person and arrange to make sure
13 his work obligations are covered by another individual. Exhibit 1, Dec’l of J. Rojas (“Rojas
14 Dec’l”) ¶ 5. Plaintiff is also attending law school and has final examinations scheduled for
15 August 14, 15, and 16th. Rojas Dec’l ¶ 6. Because of these other obligations, Plaintiff
16 requests the Court provide for the ability to appear virtually.

17 Plaintiff recognizes that he commenced this action in this venue, primarily because
18 he viewed it as the appropriate forum given Defendants made the telephone call to Plaintiff,
19 who has a 424 “in district” area code, and are incorporated in California.

20 Plaintiff believes the parties resources would be conserved utilizing a Zoom
21 appearance, as it would reduce the expenses necessary (primarily the air fare, fares which
22 range from \$400-800) as well as allow Plaintiff to attend the hearing with minimal
23 interruption to his work requirements, school, and obligations.

24 As of now, Plaintiff believes it is possible that Defendants will not attend the in
25 person hearing, given that they are not represented by counsel, and the corporate defendants
26 answer is due shortly. Additonally, despite several attempts to schedule a meeting to
27 discuss a discovery plan for this case with Defendants, Plaintiff has been unable to obtain
28 said schedule from them. Rojas Dec’l ¶ 7.

1 At this juncture, Plaintiff intends to move for judgment on the pleadings based on
2 Mr. Levi's answer following the close of the pleadings. That being said, it is pre-mature to
3 know what the corporate defendant intends to do at this time.

4 Plaintiff believes that the items to be discussed at the status conference can be
5 addressed virtually via the Zoom or other telephonic platform. Plaintiff has acted in due
6 diligence and good faith in attempting to confer with Defendants in advance of the status
7 conference but has not received substantive responses concerning these topics.


8 Plaintiff also moves the Court, for good cause, to continue the status conference,
9 given the procedural posture of this case. Answer by the corporate defendant – which must
10 be represented by an attorney – is due two business days prior to the status conference.
11 Plaintiff has been in contact with a “mediator” for Defendants, who is not an attorney. The
12 parties are actively discussing a potential settlement. Plaintiff therefore believes that
13 additional time would be appropriate to allow for the parties to focus their efforts on a
14 potential settlement. An extension of time would also allow conferral with any attorney
15 that does appear for the corporate defendant at the time answer is due in advance of the
16 status conference, in compliance with the Court's requirements. Providing this time will
17 allow the parties to perform the necessary coordination and allow for a more productive
18 status conference. To the extent the Court continues the status conference, Plaintiff requests
19 it be held the week of September 9th or September 30, 2024. This delay will not prejudice
20 any party, as not all parties have yet appeared, and Plaintiff has diligently attempted to, but
21 has been unable to, coordinate the required elements of the discovery plan in advance of
22 the status conference.

23 Plaintiff respectfully requests the Court allow Plaintiff to appear via Zoom for the
24 status conference, and/or continue the status conference.

25 Respectfully submitted,

26 Dated: August 5, 2024.

27
28 ///


Jorge Alejandro Rojas
Rojas.jorge96@gmail.com
Plaintiff in Pro Se
557 Cambridge Way
Bolingbrook, IL 60440
(424) 219-1582

CERTIFICATE OF SERVICE

A copy of this filing is being sent via USPS First Class Mail to each Defendants last known address.


Jorge Alejandro Rojas

CERTIFICATE OF CONFERRAL

Plaintiff attempted to confer with Defendants prior to the filing of this request but did not receive a response. Specifically, on July 18, 2024, Plaintiff advised Defendants of his intent to seek electronic appearance and asked for their position via mail. This was after several attempts to contact Defendants via phone to the telephone number the individual Mr. Levi listed in his Answer (Dkt. 10). On July 25, 2024, a “mediator” for Defendants contacted Plaintiff via e-mail. The mediator has represented that she is not an attorney. Plaintiff has attempted to get a position on the request to appear via Zoom from the mediator and has not received a response. Plaintiff has also attempted to obtain a schedule from Defendants in order to meet in advance of the conference and has been unable to obtain the same.


Jorge Alejandro Rojas

L.R. 11-6.1 CERTIFICATE OF COMPLIANCE

The undersigned, Plaintiff Jorge Alejandro Rojas, certifies that this brief contains 1,048 words, based upon Microsoft Word’s calculation, which complies with the word limit of L.R. 11-6.1.


Jorge Alejandro Rojas